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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,849	03/22/2004	David E. Ludwig	ISC-126	1713
7590 W. Eric Boyd, Esq. Irvine Sensors Corp. Suite 108 3001 Redhill Ave., Bldg.3 Costa Mesa, CA 92626			EXAMINER CHOWDHURY, AFROZA Y	
			ART UNIT 2609	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/805,849

Applicant(s)

LUDWIG ET AL.

Examiner

Afroza Y. Chowdhury

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-8, and 9 are rejected under 35 U.S.C. 102(e) as being unpatentable by **Stettner et al.** (US Patent No. 6414746).

As to claim 1, Stettner et al. discloses an imaging device comprised of: A photon source (col. 2, line 66 – col. 3, line 3) for generating a photon reflection from a target (col. 3, lines 41-47, col. 5, line 47-49),

a detector array (fig. 2(6, 7) for producing a detector array output signal in response to said photon reflection (fig. 2, 4, col. 3, lines 55-60, col. 5, 53-57),

a multilayer processing module for the receiving of said detector array output signal (fig. 2, col. 3, lines 47-54),

said processing module comprised of at least two stacked layers wherein each of said at least two stacked layers are comprised of at least one integrated circuit chip for the processing of said received detector array output signal (col. 2, lines 53-58).

As to claim 3, Stettner et al. teaches an imaging device comprising circuit means for converting said processed detector array output signal into an electronic image (col. 3, lines 10-16, 41-47).

As to claim 4, Stettner et al. discloses an imaging device further comprising circuit means for converting said processed detector array output signal into a three-dimensional electronic image (col. 3, lines 10-16, 41-47, abstract).

As to claim 5, Stettner et al. teaches an imaging device wherein said photon source is a laser (col. 2, lines 66-67, col. 3, lines 1-3).

As to claim 6, Stettner et al. discloses an imaging device wherein said photon source is a pulsed laser (col. 3, lines 41-54, col. 5, lines 47-49).

As to claim 7, Stettner et al. teaches an imaging device further comprising beam-shaping optics for the focusing of said photon source upon said target (col. 3, lines 47-54, col. 5, lines 51-53).

As to claim 8, Stettner et al. discloses an imaging device comprising collection optics for the focussing of said reflected photons upon said detector array (col. 5, line 66 – col. 6, line 8).

As to claim 9, Stettner et al. teaches an imaging device wherein said detector array is an InGaAs detector array (col. 11, lines 1-4).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stettner et al.** (US Patent No. 6414746) in view of **Cronin et al.** (US Patent No. 5925924).

As to claim 2 and 10, Stettner et al. discloses 3D imaging laser radar wherein the imaging device has a detector as an external electronic device (fig. 4). He teaches detector and conducting bumps (col. 3, lines 55-63). He does not explicitly teach T-connect. Cronin teaches T-connect structure (col. 2, lines 5-11, col.10, lines43-48).

Therefore, it would be obvious to combine the image device of Stettner et al. with Cronin's concept of T-connect because this will allow to provide an imaging device to make a connection between a processing module and a detector.

As to claim 12, Stettner et al. teaches an imaging device wherein said external electronic device is a detector array (fig. 4, col.5, lines 1-5).

5. Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stettner et al.** (US Patent No. 6414746) in view of **Halmos** (US Patent No. 6522396).

As to claim 8, Stettner et al. teaches detector array for producing output signal in response to said photon reflection (fig. 2, 4, col. 3, lines 55-60, col. 5, 53-57). He teaches the use of a lens (etched into detector substrate) for the focusing of reflected photons only if the detector is incorporated into the laser radar processor (col. 5, line 66 – col. 6, line 8).

Halmos explicitly teaches 3D LADAR system where a lens (outside the detector array) used for focusing reflected photons upon said detector array (fig. 1(28), col. 23-27).

Therefore, it would be obvious to combine the image device of Stettner et al. with Halmos's 3D LADAR system to make an imaging device comprising a lens for focusing of reflected photons upon a detector array in order to capture reflections from the entire target area.

As to claim 11, Stettner et al. does not explicitly teach the use of comparator in order to compare signal to a threshold value.

Halmos discloses detector (col. 3, lines 27-29) output signal sent through preamplifier (fig. 2, col. 4, lines 23-25) is compared to a predetermined threshold (col. 3, lines 51-59) using a comparator (fig. 3, col. 5, lines 28-36).

Therefore, it would be obvious to combine the image device of Stettner et al. with Halmos's comparator in order to achieve a predetermined threshold for any particular application.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afroza Y. Chowdhury whose telephone number is 571-270-1543. The examiner can normally be reached on 7:30-5:00 EST, 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-2600. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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AMARE MENGISTU  
SUPERVISORY PATENT EXAMINER